IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE DR JUSTICE G.YETHIRAJULU**

**WRIT PETITION NO : 16011 of 2004**

Between:

K.Sankaraiah, s/o K.Rangaiah,age 37 years,
occ:Asst. Engineer in TTD, Tirupati, Chittoor District.

**..... PETITIONER**

AND

1 Executive Officer, TT.Devasthanam,
Tirupati, Chittoor District.
2 Chief Engineer, T.T.Devasthanam,
Tirupati, Chittoor District.
3 District Collector, Chittoor, Chittoor District.
4 Mr.P.Suresh Babu, s/o P.Laxminarayana Reddy,
Dy.Executive Engineer, TTD., Hanumakonda Sub Division,
Warangal District.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the Impugned Proceedings Roc.No.TL1/26306/2003 dated 18-6-2004 issued by the 1st respondent where under promoting the 4th respondent as Dy.Executive Engineer on the basis of the false S.T.Certificate produced by him, as illegal, arbitrary, null and void and set-aside the same and consequently direct the respondents 1 and 2 to promote the petitioner in the place of 4th respondent and further direct the 3rd respondent to cancel the bogus S.T.Caste Certificate issued to the 4th respondent forthwith

**Counsel for the Petitioner:SMT.S.V.INDIRA**

**Counsel for Respondents No.1 and 2:Mr.A.K.Jaya Prakash Rao**

**Counsel for the Respondent No.3: GP FOR SOCIAL WELFARE**

**Counsel for the Respondent No.4: ( None appeared)**

**The Court at the stage of admission made the following :**

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**ORDER:**

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The petitioner contends that he is working as an Assistant Engineer in the 1st respondent Devasthanam and he belongs to Schedule Tribe. He further contends that he acquired all the qualifications to get promotion as Deputy Executive Engineer. He further contends that the 4th respondent by obtaining a bogus Schedule Tribe Caste Certificate approached the 1st respondent Devasthanam and the 1st respondent by considering representation of the 4th respondent for promotion passed an order on 18-6-2004 promoting the 4th respondent as Deputy Executive Engineer in the Category of Schedule Tribe. The petitioner further contends that the Commissioner of Tribal Welfare, conducted an enquiry regarding the genuineness of the Schedule Tribe Caste Certificate of the 4th respondent and further came to know that the Commissioner, Tribal Welfare through proceedings dated 9-8-2004 observed that the 4th respondent produced a bogus Schedule Tribe Caste Certificate and he does not belong to the Caste mentioned in the S.T. Caste Certificate. The petitioner further contends that the report of the Commissioner of the Tribal Welfare, dated 9-8-2004 was sent to the 3rd respondent for necessary orders and the 3rd respondent so far did not pass any order on the report of the Commissioner, Tribal Welfare. The petitioner, therefore, approached this Court seeking a direction to the 3rd respondent to pass appropriate orders on the report of the Commissioner, Tribal Welfare, dated 9-8-2004 expeditiously.

In the light of the circumstances explained by the petitioner, the 3rd respondent is directed to pass appropriate orders according to law on the report of the Commissioner, Tribal Welfare, dated 9-8-2004 within eight weeks from the date of receipt of copy of this order.

Writ Petition is accordingly disposed of. No order as to costs.

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Dr. G.Yethirajulu, J.

9th September, 2004.

KM

Sd/-

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 Executive Officer, TT.Devasthanam,
Tirupati, Chittoor District.
2 Chief Engineer, T.T.Devasthanam,
Tirupati, Chittoor District.
3 District Collector, Chittoor, Chittoor District.
4 Mr.P.Suresh Babu, s/o P.Laxminarayana Reddy,
Dy.Executive Engineer, TTD., Hanumakonda Sub Division,
Warangal District.

5. 2CCs to G.P.for Social Welfare, High Court Buildings, Hyderabad(out).

2.2CD copies

**THE HON'BLE DR JUSTICE G.YETHIRAJULU**

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**WRIT PETITION NO : 16011 of 2004**

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**9th September, 2004.**